

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA

SHELBY DIVISION

THE HONORABLE J. CRAIG WHITLEY, PRESIDING

FRIDAY, JANUARY 29, 2016

Steven G. Tate, Trustee

9:30 a.m.

1)	12	Andrew M. Boggs Virginia A. Boggs	11-40473	Continued hearing on Debtors' Motion to Modify Plan (183)
				Hearing on Debtors' Motion to Approve Liquidation of Investment Securities (184)
		O. M. GARDNER		

2)	13	Michael L. Thornburg Misty C. Thornburg	14-40382	Hearing on Debtors' Motion to Approve Loan Modification on Mortgage (26)
		NACHAMIE		

3)	13	Leland H. Gorecki	14-40537	Continued hearing on Debtor's Motion to Sell Real Estate (23)
		POE		

4)	13	Cassandra L. Boyter	15-40010	Hearing on Debtor's Motion to Modify Plan (28); Trustee's Response (29)
		CARTER		

- 5) 13 Daniel T. Mulcahy 15-40309 2nd continued hearing on Trustee's
Teresa M. Mulcahy Motion to Dismiss (22)
- BRUDI

- 6) 13 Georgia A. Wilson 15-40399 Continued hearing on Amended
Objection of Paul Carpenter to
Confirmation of Plan (11); Plan (2)
- Hearing on Trustee's Objection to
Confirmation of Plan; Motion to
Dismiss (14); Plan (2, Amended 8,
Amended 12)
- DOVE
DEATON

- 7) 13 Tony M. Moore 10-41040 6th continued hearing on Trustee's
Phyllis W. Moore Motion to Convert Case (41)
- WOOD

- 8) 13 Maggie B. Maddox 14-40389 5th continued hearing regarding the
status of a permanent modification.
Re: Consent Order Resolving
Objection to Confirmation (17)
- WOOD
PHELAN

- 9) 13 Joy S. Patterson 11-40574 2nd continued hearing on Trustee's
Motion to Dismiss Case or to Modify
Plan (26)
- WILLCOX

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| 10) | 13 | Harold O. Colvin
Patricia G. Colvin | 12-40520 | Hearing on Trustee's Motion to Dismiss Case (40) |
| WILLCOX | | | | |
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| 11) | 13 | Stephen C. Proctor
Jennifer L. Proctor | 13-40660 | Continued hearing on Debtors' Motion for Approval of Loan Modification and Modification of Plan (32); Trustee's Response (33) |
| HAY | | | | |
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| 12) | 13 | Donald L. Wickline
Verna L. Wickline | 15-40424 | Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (15); Plan (2); Amended (9); Amended (11) |
| HAY | | | | |
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| 13) | 13 | Michael D. Greene
Angela S. Greene | 14-40149 | 3rd continued hearing on Trustee's Objection to Claim [BB&T] (23); Response of BB&T (25) |
| PLANER
HOFF | | | | |
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| 14) | 13 | Elbert D. Martin
Bonnie L. Martin | 15-40194 | 4th continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (15); Plan (9) |
| PLANER | | | | |
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| 15) | 13 | Angela C. Falls | 14-40276 | Hearing on Debtor's Motion to Approve Withdrawal of Retirement Funds Nunc Pro Tunc (26) |
| | | ELLIOTT | | |
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| 16) | 13 | Wendy S. Seagle | 15-40013 | Hearing on Motion of U.S. Bank, N.A. for Relief from Stay and Co-Debtor Stay (20); Debtor's Response (21) |
| | | ELLIOTT | | |
| | | NODELL | | |
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| 17) | 13 | Angela L. Pellegrini | 10-40442 | Hearing on Trustee's Motion to Deem Mortgage Current or Paid in Full (79); Response of Nationstar Mortgage, LLC (82) |
| | | FARMER, FARMER | | |
| | | JONAS | | |
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| 18) | 13 | Charles D. Kester
Kay Frances C. Kester | 10-41073 | Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (45) |
| | | | | Hearing on Debtors' Motion for Hardship Discharge (48) |
| | | FARMER, FARMER | | |
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| 19) | 13 | Alfred D. Shires
Christy G. Shires | 11-40389 | 2nd continued hearing on Motion of Bayview Loan Servicing to Incur Debt and for Approval of Loan Modification (68); Trustee's Response (71) |
| | | FARMER | | |
| | | JONAS | | |
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- 20) 13 Ronald L. Cornelius 12-40478 5th continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (27)
- Patricia C. Cornelius
- 4th continued hearing on Debtors' Motion for Hardship Discharge (30)
- FARMER
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- 21) 13 Timothy W. Gosnell 14-40368 Continued hearing on Trustee's Motion to Modify Plan (107); Debtor's Response (110)
- FARMER
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- 22) 13 Christine A. Gosnell 14-40533 2nd continued hearing on Trustee's Motion to Dismiss Case, Convert Case or to Modify Plan (50)
- FARMER
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- 23) 13 Buford A. Williams 15-40035 Continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (30)
- Continued for Status. Re: Order Granting Motion for Moratorium (33)
- FARMER
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- 24) 13 Milton D. Martin, Jr. 14-40046 Hearing on Motion to Withdraw as Attorney of Record (56)
- Demetria M. Martin
- Hearing on Trustee's Motion for Review (57)
- BALENTINE
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25) 13 Rodney B. England 14-40322 Continued hearing on Trustee's
Cynthia G. England Motion to Modify Plan (35);
Debtors' Response (37)

BALENTINE

26) 13 Donald H. Thompson 14-40442 Hearing on Debtors' Motion to
Londa J. Von Weter Modify Plan and to Approve Loan
Modification Agreement (52);
Trustee's Response (55)

BALENTINE

27) 13 Kevin E. Ford 15-40071 Hearing on Debtors' Motion to
Kimberly L. Ford Modify Plan and to Approve Loan
Modification Agreement (23,
Amendment 24); Trustee's Response
(25)

Continued hearing on Trustee's
Motion to Dismiss Case or to Modify
Plan (20)

BALENTINE

28) 13 Inpeng Malaythong 15-40319 Hearing on Debtors' Motion to
Daramy Malaythong Modify Plan (25); Trustee's Response
(26)

BALENTINE

29) 13 Tony R. McDonald, Sr. 15-40385 Hearing on Debtor's Motion to
Amend Schedules B and C (18 and 20);
Trustee's Response (19)

BALENTINE

30) 13 Larry R. Pyatt 15-40444 Continued hearing on Debtors'
Dalona A. Pyatt Objection to Claim [IRS] (20);
Trustee's Response (21)

Hearing on Trustee's Objection to
Confirmation of Plan; Motion to
Dismiss (25); Plan (12); Amended Plan
(13)

BALENTINE

31) 13 Barbara L. Ringler 12-40326 Continued hearing on Trustee's
Motion to Dismiss Case or to Modify
Plan (31)

LUTZ

32) 13 Daryl K. Moore 13-40116 Hearing on Debtor's Motion to
Modify Plan (19); Trustee's Response
(20)

LUTZ

33) 13 Keith F. Parks 13-40341 Hearing on Debtors' Motion to
Ivy A. Tyson-Parks Modify Plan and Surrender Vehicle
(61, Amendment 63); Trustee's
Response (62)

LUTZ

34) 13 Rebecca O. Goode 14-40086 Hearing on Debtor's Motion to
Modify Plan and Surrender Vehicle
(17); Trustee's Response (18)

LUTZ

- 35) 13 Norris G. Wright 14-40152 Hearing on Debtors' Motion to
Sherry L. Wright Modify Plan and Surrender Vehicle
(53); Trustee's Response (54,
Amendment 56)

LUTZ

- 36) 13 Charles E. Simpson 14-40184 Hearing on Trustee's Motion to
Etrulia I. Simpson Dismiss Case or to Modify Plan (23)

LUTZ

- 37) 13 Wayne S. Bolick 14-40414 Hearing on Trustee's Motion to
Pamela A. Bolick Dismiss Case or to Modify Plan (31)

LUTZ

- 38) 13 Jeffery S. Hayes 14-40456 Hearing on Trustee's Motion to
Lynn D. Hayes Dismiss Case or to Modify Plan (27)

LUTZ

- 39) 13 Arthur J. Burkhalter 15-40051 Hearing on Motion of Stephen and
Hester A. Burkhalter Jessica Brown for Relief from Stay
and Co-Debtor Stay (24); Debtors'
Response (27)

LUTZ
MORGAN

- 40) 13 Shahiddah H. Bilal 15-40079 3rd continued hearing on Trustee's Motion to Dismiss Case or to Modify Plan (13)
- 2nd continued hearing on Amended Motion of Ditech Financial LLC for Relief from Automatic Stay, Co-Debtor Stay, Turnover Order, and in the Alternative, for Adequate Protection (17, 15); Debtor's Response (18)
- LUTZ
NODELL

- 41) 13 Demetria B. Corry 15-40177 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (14)
- LUTZ

- 42) 13 Sherry Logan 15-40255 Hearing on Trustee's Objection to Claim of Green Tree Servicing, LLC (27); Response of Ditech Financial, LLC f/k/a/ Green Tree Servicing, LLC (29)
- LUTZ
NODELL

- 43) 13 Charles F. Buzzell 15-40375 Hearing on Motion of Wells Fargo Bank, N.A. for Relief from Stay and Co-Debtor Stay (20); Debtor's Response (21)
- LUTZ
KEENAN

- 44) 13 Rebecca M. Dellinger 15-40460 Hearing on Objection of Carolina Lease Management Group, LLC to Confirmation of Plan (15); Plan (2); Debtor's Response (16)
- LUTZ
OLEKSA
-
- 45) 13 Amanda G. Flynn 10-40254 Hearing on Debtor's Motion for Sanctions Against Caliber Home Loans, Inc. (76); Response of Caliber Home Loans (77)
- W. S. GARDNER
STALEY
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- 46) 13 Robert L. Wilson 12-40244 Hearing on Debtor's Motion to Disburse Funds (64)
- W. S. GARDNER
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- 47) 13 Jamie E. Yelton 12-40742 2nd continued hearing on Trustee's Motion to Convert Case to Chapter 7 (86)
- Dana H. Yelton
- Hearing on Debtors' Motion to Approve Settlement Nunc Pro Tunc (89); Trustee's Response (90)
- W. S. GARDNER
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- 48) 13 Abigail S. McCool 13-40043 Continued hearing on Debtor's Motion to Approve Sale of Real Estate and Payoff Chapter 13 Plan (47); Trustee's Response (48)
- W.S. GARDNER
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49) 13 Sharon T. Crank 13-40568 Continued hearing on Debtor's Motion to Amend Schedule C (39, Amended 41); Trustee's Response (40)

Hearing on Debtor's Motion to Approve Settlement (44, Amended 45); Trustee's Response (46)

W. S. GARDNER

50) 13 Wilbert N. Clark 15-40012 Hearing on Debtors' Objection to Duplicate Claims by CVI Loan GT Trust I [Claim #11] and Green Tree Servicing, LLC [Claim #8] (33)

W. S. GARDNER

51) 13 Jerry E. Bowen 15-40190 2nd continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (51); Amended Plan (47); Plan (34)

W. S. GARDNER

52) 13 Ricky D. Butler 15-40233 Hearing on Trustee's Motion to Dismiss Case or to Modify Plan (15)

W. S. GARDNER

53) 13 Robert B. Devoe 15-40242 3rd continued hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (14); Plan (4); Amended Plan (27)

3rd continued hearing on Debtor's Objection to Proof of Claim Filed by TD Bank, NA (15)

W. S. GARDNER

54) 13 Darlene D. Payne 15-40261 Hearing on Debtor's Motion to Disburse Funds, Purchase Vehicle, and Pay Towards Plan (28); Trustee's Response (32)

Hearing on Debtor's Motion to Modify Plan to Surrender Collateral and Reduce Plan Payment (29); Trustee's Response (33)

W. S. GARDNER

55) 12 Donna L. Khan 15-40270 2nd continued Confirmation Hearing (7); Chapter 12 Plan (6); Objection of Specialized Loan Servicing, LLC (16)

Continued hearing on Trustee's Motion to Dismiss (11)

W. S. GARDNER
LAMB

56) 13 Yolanda G. Petty 15-40315 Hearing on Trustee's Motion to Dismiss Case (33)

W. S. GARDNER

57) 13 Arthur P. Earls 15-40466 Hearing on Trustee's Objection to Confirmation of Plan; Motion to Dismiss (9); Plan (4)
Jolynne P. Earls

W. S. GARDNER

10:30 a.m.

- 58) 7 Michel Melancon 12-40782 Hearing on Motion of Ocwen Loan
Patricia G. Melancon Servicing, LLC for Relief from Stay
(61); Debtors' Response (62)

PLANER
HENDERSON, TR.
BARRETT

- 59) 7 Floyd C. Oliver 14-40055 Continued hearing on Motion of U.S.
Patricia C. Oliver Bank, NA for Relief from Stay (42);
Debtors' Objection (43)

W. S. GARDNER
HENDERSON, TR.
WADSWORTH

- 60) 7 The Challenge Golf Group 12-40724 3rd continued hearing on Debtor's
of the Carolinas, LLC Motion to Compel Turnover (57,
Exhibit 58)

KIGHT
COOPER, TR.

- 61) 7 Jeffrey W. Wright 13-40139 Court Order for Debtors' to Appear
Phyllis K. Wright and Show Cause as to Notice of
Conversion (60, 54)

Hearing on Debtors' Motion to Strike
Conversion and Motion to Modify
(65); Trustee's Response (66)

LUTZ
COOPER, TR.

- 62) Adv Langdon M. Cooper 15-3010 Hearing on Defendant's Motion to
v. Ch. 7 Set Aside Judgment (15)
Allen Langley 13-40034
- COOPER
O. M. GARDNER

- 63) 7 Rebecca A. Blair 13-40587 7th continued hearing on Motion of
The Bank of New York Mellon for
Relief from Stay (39); Debtor's
Response (40)
- HAY
COOPER, TR.
JONAS

- 64) 7 Randy J. Silverstine 15-40280 2nd continued hearing on Trustee's
Objection to Exemptions (8)
- HAY
COOPER, TR.

- 65) 7 Christopher D. Watts 15-40541 Court Order for Debtor to Appear and
Show Cause for Dismissal of Case (9);
Petition (1)
- PRO SE
COOPER, TR.

- 66) Adv Richard M. Mitchell 15-4017 Hearing on Plaintiff's Motion for
v. Ch. 7 Status Conference (7)
Robert G. McGinnis 13-40540
- MITCHELL
PRO SE

- 67) 11 Somerset Studios, 15-40180 Hearing on Debtor's Motion to Sell
Incorporated Property Free and Clear of Liens (122)
- Hearing on Debtor's Motion for Order
Continuing Authorization for Debtor
in Possession to Obtain Post-Petition
Financing and Approving Prior Post-
Petition Financing as Priority
Administrative Expense Claim (125)

WRIGHT

- 68) 11 Atlantic Carolinas 13-40121 Status Hearing as to Order in Aid
Capital, LLC of Consummation (248, 240)

W. S. GARDNER

- 69) 11 Restoration Properties of 15-40163 3rd continued Confirmation Hearing
Shelby, LLC (38); Plan (29); BA's Objection to
Combination Chapter 11 Plan and
Disclosure Statement (41, 42);
Objection of BB&T to the
Combination Chapter 11 Plan and
Disclosure Statement (43, 44)

Hearing on Motion of BB&T for
Relief from Stay (51); Debtor's
Response (54)

W. S. GARDNER

LIVERMON

HOFF

70) 11 Alive Apparel, Inc. 15-40189 Continued Disclosure Statement
Hearing (81); BA's Objection (90)

Hearing on Motion of Stephen Carter
for Appointment of Independent
Trustee (88); Response of Broad River
Asset Solutions, LLC (91)

W. S. GARDNER
KENNY
JOHNSON

71) 11 Glenda K. Hooper 15-40443 2nd continued hearing on Debtor's
Motion to Allow for Secured Debt
Payments to HomeTrust Bank (12);
Response of HomeTrust Bank (21);
Response of the Bankruptcy
Administrator (29)

2nd continued hearing on the
Bankruptcy Administrator's Motion to
Appoint Chapter 11 Trustee (25);
Order Granting Appointment (35)

Continued hearing on Application of
Debtor / Debtor-in-Possession for
Order Approving Employment of
Accountant (22); Bankruptcy
Administrator's Objection (31)

Hearing on Debtor's Motion to
Abandon (36)

W. S. GARDNER
PINKSTON
KENNY

1:00 p.m.

72)	Adv	Timothy W. Gosnell	14-4012	Trial (27)
		v.	Ch. 13	
		Glenn D. Morgan	14-40368	

FARMER
PRO SE
